



Receipt #3

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant: **Gordon et al.**

Case no.: **DIVA/006 DIV1**

Serial No.: **09/781,483** Filed: **February 12, 2001**

Group Art Unit: **2173**

Title: **METHOD AND APPARATUS FOR PROVIDING A MENU STRUCTURE
FOR AN INTERACTIVE INFORMATION DISTRIBUTION SYSTEM**

ASSISTANT COMMISSIONER FOR PATENTS
Office of Initial Patent Examination's
Customer Service Center
Washington, D. C. 20231

S I R:

REQUEST FOR CORRECTED FILING RECEIPT

Applicants enclose herewith a copy of the Filing Receipt received in the above-captioned application and request a corrected Filing Receipt be issued to include the information indicated in red ink. Specifically, the filing date is February 12, 2001 - not February 10. Enclosed is a copy of the Post Office Express Mail Receipt showing the correct date stamped on it.

Respectfully submitted,

6/22/01

EJ Wall
Eamon J. Wall
Reg. No. 39,414
(732) 530-9404

Thomason, Moser and Patterson, LLP
Attorneys at Law
2-40 Bridge Avenue
P. O. Box 8160
Red Bank, New Jersey 07701

CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited
on June 22, 2001 with the United States Postal
Service as first class mail, with sufficient postage, in an
envelope addressed to the Assistant Commissioner for Patents,
Office of Initial Patent Examination's Customer Service Center,
Washington, D.C. 20231.

Carol Hulse
Signature

6/22/01
Date of signature

✓ E J W



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|------------------|--------------|---------------|------------------|----------|------------|------------|
| 09/781,483 | 02/10/2001 12 | 2173 | 355 | DIVA/006 DIV1 | 20 | 6 | 2 |

CONFIRMATION NO. 9109

26291

THOMASON, MOSER AND PATTERSON L.L.P.
595 SHREWSBURY AVE
FIRST FLOOR
SHREWSBURY, NJ 07702

FILING RECEIPT



OC00000006043152

Date Mailed: 05/04/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Donald Gordon, Pacific Grove, CA;
Christopher Goode, Menlo Park, CA;
Philip A. Thomas, San Jose, CA;
Mark D. Conover, Cupertino, CA;
Brooks Cole, Point Reyes Station, CA;

Assignment For Published Patent Application

DIVA Systems Corp.;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A DIV OF 08/984,427 12/03/1997 PAT 6,208,335
WHICH CLAIMS BENEFIT OF 60/034,490 01/13/1997

Foreign Applications

RECEIVED
DEC 05 2001
Technology Center 2100

If Required, Foreign Filing License Granted 05/03/2001

Projected Publication Date: 08/16/2001

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Method and apparatus for providing a menu structure for an interactive information distribution system

Preliminary Class

345

Data entry by : ZEWDIE, HULEMENAYE

Team : OIPE

Date: 05/04/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

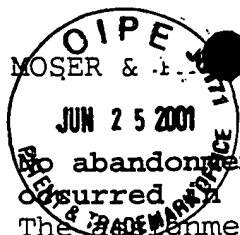
No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

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Washington, DC 20231



No abandonment or termination of proceedings has occurred in Serial No. 08/984,427.

XX The assignment of the prior application Serial No. 08/984,427 from the co-inventors to DIVA Systems Corp. remains in effect for the subject divisional application.

— A certified copy of a _____ patent application or inventor's certificate, filed _____ and serial no. _____, upon which a claim to priority is made;
Preliminary Amendment

XX 20 Sheets Formal Drawings

Respectfully submitted,

Eamon J. Wall, Attorney
Reg. No. 39,414
(732) 530-9404

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Thomason, Moser & Patterson LLP
Attorneys at Law
595 Shrewsbury Avenue, Suite 100
Shrewsbury, NJ 07702

EXPRESS MAIL CERTIFICATION

"Express Mail" mailing label number: EL736883222US

Date of deposit: 02/12/01

I hereby certify that this patent application and related papers is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Signature of person mailing paper or fee

MICHAEL CIVIL

Name of person mailing paper or fee

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www.tmplaw.com



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PATENT APPLICATION

Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION TRANSMITTAL AND CHANGE OF ADDRESS

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Sir:

Enclosed herewith for filing under the provisions of 37 CFR §1.53(b) is the following divisional patent application. This application is a divisional of commonly assigned pending U.S. patent application Serial No. 08/984,427, filed on December 3, 1997, which application claims the benefit of U.S. provisional patent application Serial No. 60/034,490, filed on January 13, 1997; applicants claim the benefit of such prior U.S. applications under 35 U.S.C. §120 and/or 35 U.S.C. §119:

Applicant(s): Donald Gordon, Christopher Goode, Philip A. Thomas, Mark D. Conover and Brooks Cole

Title of application: METHOD AND APPARATUS FOR PROVIDING A MENU STRUCTURE FOR AN INTERACTIVE INFORMATION DISTRIBUTION SYSTEM

Pages of specification: 33 (30 + 2 pages of claims and 1 page abstract)

Sheets of drawing: 20

Executed on: 2/10/98 by inventor Gordon; 2/5/98 by inventor Goode, 2/25/98 by inventor Thomas, 2/5/98 by inventor Conover, and 8/19/98 by inventor Cole

Docket No.: DIVA/006 DIV1

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PATENT APPLICATION FILING FEE CALCULATION

| | <u>No. Filed</u> | <u>Less</u> | <u>Rate/Claim</u> | <u>Fee</u> |
|--|------------------|-------------|-------------------|------------|
| Total Claims | 6 | -20 | 0 x \$18.00 | \$ 000.00 |
| Independent Claims | 2 | - 3 | 0 x \$80.00 | \$ 000.00 |
| Minimum Filing Fee | | | | \$ 710.00 |
| Multiple Dependency Fee (if applicable - \$270.00) | | | | \$ 000.00 |
| 50% Reduction for Small Entity (Independent Inventor, Non-profit Corporation, or Small Business Concern) - appropriate verified statement attached | | | | -\$ 355.00 |
| TOTAL FILING FEE | | | | \$ 355.00 |

Kindly charge the entire and any additional filing fee, as appropriate, to deposit account 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed herewith.

Kindly send all correspondence relating to this application to the following address:

CUSTOMER #26,291
THOMASON, MOSER & PATTERSON, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702

Also enclosed herewith for filing in connection with the enclosed application are:

____ Oath;
XX A copy of the executed Declaration for prior application
Serial No. 08/984,427, filed December 3, 1997;
Disclosure Statement; **this application is a divisional
of allowed prior application No. 08/984,427, filed on
December 3, 1997;**
____ Letter referencing previously filed disclosure
document; number _____ filed _____;
XX **Applicants claim small entity status;**
XX Claim(s) to priority under 35 U.S.C. § 120:

| <u>Serial Number</u> | <u>Filing date</u> |
|----------------------|--------------------|
| 08/984,427 | 12/03/97 |
| 60/034,490 | 01/13/97 |



Docket No.: DINA/006 DINA 1

Applicant: Gordon et al

Filed: Herewith

The following has been received in the U.S. Patent and Trademark Office
date stamped hereupon:

☒ Specification (30 pages)
☒ 6 Claims (2 pages)
☒ Abstract (1 page)
☒ Oath or Declaration from parent
☒ Petition
☒ Power of Attorney from parent
☒ Claim of Priority
☒ Express Mail Certificate,
dated 2/12/01

☐ Priority Document
☒ Transmittal Letter (2 copies)
☒ Deposit Acct. Transaction
☒ Assignment to parent
☒ Drawings (30 sheets)
☐ Disclosure Statement
☐ Check No. _____ for \$ _____
☒ Small Entity Statement (copy for parent)

918 US PTO
09/781483
02/16/01

This application has been assigned serial number _____